

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
PECOS DIVISION**

**STEVEN FLOREZ, individually and on
behalf of all others similarly situated,
*Plaintiff,***

v.

**TECHWATER LLC,
*Defendant.***

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PE:22-CV-00050-DC-DF

ORDER

BEFORE THE COURT is Plaintiff Steven Florez’s (“Plaintiff”) Request for Clerk’s Entry of Default (hereafter, “Motion for Entry of Default”). (Doc. 12). This case is before the undersigned through a Standing Order pursuant to 28 U.S.C. § 636 and Appendix C of the Local Court Rules for the Assignment of Duties to United States Magistrate Judges.

On December 29, 2022, Plaintiff filed his Original Complaint, seeking damages against Defendant Techwater LLC (“Defendant”) for violations of the Fair Labor Standards Act. (Doc. 1).

On April 6, 2023, Plaintiff filed an executed summons for Defendant dated March 21, 2023, having been forwarded through the Texas Secretary of State. (Doc. 7). Defendant’s response to this service was required to be filed on or before April 11, 2023, within 21 days of service of the summons in accordance with Federal Rule of Civil Procedure 12. To date, Defendant has failed to file a responsive pleading or otherwise appear in this matter.

Pursuant to Federal Rule of Civil Procedure 55, “[w]hen a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the clerk must enter the party’s default.” Fed. R. Civ. P. 55(a). Here, Plaintiff has demonstrated Defendant’s default by affidavit or proof of executed service. Accordingly, the Court **GRANTS** Plaintiff’s Motion for Entry of Default against Defendant. (Doc. 12).

It is therefore **ORDERED** that Plaintiff's Motion for Entry of Default is hereby **GRANTED**.
(Doc. 12).

It is further **ORDERED** that the Clerk of the Court send a copy of this Order by certified mail, return receipt requested, to Defendant at the following address:

TECHWATER, LLC
c/o Shamie V. Ramirez
1210 Castillo Lot B
Alice, TX 78332

It is so **ORDERED**.

SIGNED this 1st day of August, 2023.



DAVID B. FANNIN
UNITED STATES MAGISTRATE JUDGE